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February 23, 2009

Judge Michael Ponsor  
U.S. District Court  
300 State Street  
Springfield, MA 01103

RECEIVED  
2-27-09

Re: Silencer Case

Dear Judge Ponsor:

In a January 31, 2005 order you denied Bongiorno's Motion to Dismiss and stated that the silencer statute

"is not unconstitutionally vague."

Then when we got into trial you started to use some very derogatory terms regarding that "unvague" statute. First you attacked the National Firearms Act:

June 30, 2006, page 50, line 1

"dumbest statute I ever heard of."

July 5, 2006, page 57, line 4-5

"baffled" and "astonished" and "amazed"  
at the NFA

July 7, 2006, page 24, line 16

"continues to confound me and  
astonish me."

Then you had these choice words to say about the silencer statute which you said on January 31, 2005 was not vague:

July 7, 2006, page 25, line 20

"The definition (of silencer) in Title 18  
is confusing enough."

Exhibit 1

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July 7, 2006, page 96

"'for' is a little bit of a bug  
in the statute"

July 7, 2006, page 98

first part of silencer definition  
"is perhaps dubious"

July 7, 2006, page 105, line 2

second part of silencer definition  
is "totally baffling"

July 7, 2006, page 105, line 7

"completely confusing"

July 7, 2006, page 105, line 12-13

"very, very complicated"

July 7, 2006, page 110, line 4

silencer statute "goes around and  
bites its tail"

July 7, 2006, page 110, line 14

"extraordinary discontinuity in series"

July 7, 2006, page 114, line 10-11

"bedeviling little word 'for'"

July 7, 2006, page 114, line 22-25

"completely creates extraordinary  
ambiguity"

July 7, 2006, page 115, line 5

"completely impossible"

gib

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So then, when you declared these things why did you not reverse your January 31, 2005 ruling that there was no ambiguity? I'll tell you why. Because you think you are God Almighty up there and that you don't have to reconcile your contradictory statements. You think that the law is just a big game that you can manipulate to you and your friend's desired ends, in this case, to join forces with your heroes, the ATF baby killers and church-attackers of Waco.

Not only have you helped frame me into 22 years in jail for a pretend-offense, but you have also endangered the civil liberties of all persons in the District when you made this ruling on February 28, 2006, page 8 (D.E. 87) with respect to your "capable" interpretation that literally makes silencers out of all bed-pillows:

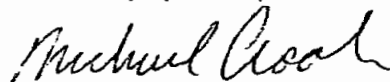
"But this kind of reductio ad absurdum could be used in many contexts where the law presumes a modicum of good sense"

and you go on to imply that the government can be trusted not to bring such prosecutions. But that is not the law nor ever was. All courts have recognized that the government cannot be trusted. Look what your bosses in the First Circuit said on this recently:

"But we are not willing to construe over-generously a criminal statute to cover cases that should not be made criminal in the hope (usually but not invariably borne out) that prosecutors will exercise restraint in the interest of common sense." United States v. Tobin, 552 F.3d 29, 34 (1st Cir. 2009).

You should be ashamed of yourself and what you have become. You are not a friend of the people. Anyone who is willing to give ATF agents free reign to jail people for possessing bed-pillows is a very real danger to the people.

Sincerely yours,



Michael Crooker

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